

REMARKS

Claims 1-20 are pending in the subject application. After entry of the above amendments to the claims, claims 1, 2, 4, 17, 19 and 20 have been amended. The Examiner is respectfully requested to reconsider the rejection of the claims in view of the above amendments and remarks as set forth herein below.

1. Claims 1-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lemelson et al. (U.S. 5,945,656) in view of Schwartz et al. (U.S. 6,095,418). This rejection is respectfully traversed.

Again, Lemelson discloses a one-dimensional type bar code (Figure 1), and scanning of that of one-dimensional type bar code using the reader device 60, as shown in Figure 4. The scanner disclosed by Schwartz *et al.* will not scan/read the one-dimensional bar code used by Lemelson, especially when in contact with the page 6. Further, the reader 60 of Lemelson *et al.* will not scan/read the two-dimensional bar code symbol 14 on the page 12 of Schwartz *et al.* Clearly, these types of bar codes and scanners are not interchangeable or can be substituted as proposed by the Examiner in the outstanding rejection.

Furthermore, the apparatus of Lemelson *et al.* requires a template 8 as shown in Figures 1 and 2 to provide for scanning operation of the page 6. Otherwise, the apparatus is not functional for a blind or low vision user. The presently claimed invention does not utilize a template and thus the limitation of “template-less” has been added to the claims. It is important to note that

the apparatus of Schwartz *et al.* does not use a guide or a template due to the non-contact camera type detector utilized by Schwartz *et al.*

In the Advisory Action date July 24, 2006, the Examiner states that it “is further pointed out that the contact type scanners for use with multi-dimensional are known in the art (i.e. Ueno (U.S. 6,170,750) among others).” It is noted that Ueno is not cited in the outstanding rejection of the claims and thus is not currently a reference.

Assuming *arguendo* that Ueno is added as a reference to the outstanding reaction, it is noted that Ueno again requires a template (i.e. scan guiding plate-like member 104 provided with windows 106), as shown in Figure 3A for guiding the hand-held reading apparatus 11.

The presently claimed invention eliminates the requirement for a template unlike Ueno and Lemelson *et al.* to provide a “template-less” arrangement. The particulars of the guide arrangement allowing for template-less scanning/reading operation is also recited in the claims as presented. Specifically, independent claims 1 and 17 recite a guide for positioning an omni-directional photo emitter/receptor a pre-determined distance from the edge of the medium (e.g. page) so that the photo emitter/receptor is positioned over the Braille-type bar code during the scanning operation. None of the references cited by the Examiner including Ueno disclose such a guide. Thus, the cited references including Ueno do not teach or suggest the claimed invention.

In view of the above amendments and remarks, it is believed that the claims are in condition for allowance and allowance is respectfully requested.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment to our Deposit Account No. 11-1243.

Respectfully submitted

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A handwritten signature in black ink, appearing to read "William L. Klima", written over a horizontal line.

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